

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

In re:)	Case No. 22-50763 (AMK)
)	
Williams J. Huet and)	Chapter 7
Lisa J. Huet)	
)	
Debtors)	Judge Alan M. Koschik

**Motion of the United States Trustee for Extension of Time in Which to File a
Motion to Dismiss or Complaint Objecting to Discharge**

Now comes Andrew R. Vara, United States Trustee for Region 9 (“UST”), and respectfully moves this Court for an order extending the time pursuant to Fed. R. Bankr. P. 1017(e) to file a motion to dismiss under 11 U.S.C. § 707(b) and under Fed. R. Bankr. P. 4004(b) to file a complaint objecting to discharge under 11 U.S.C. § 727 until December 23, 2022. In support, the United States Trustee offers the following:

1. Williams J. Huet and Lisa J. Huet (the “Debtors”) filed the instant voluntary chapter 7 bankruptcy petition on June 30, 2022. Doc. 1. Melissa M. Macejko was appointed as the Chapter 7 trustee (the “Trustee”). The initial 341 meeting of creditors was scheduled to be held on August 22, 2022 and adjourned several times to October 17, 2021. Docket Nos. 5, 25, 27, 34. The deadline to file a motion to dismiss under 11 U.S.C. § 707(b) or a complaint objecting to discharge under 11 U.S.C. § 727 is October 21, 2022. Docket No. 5.

2. Previously, the Debtors filed chapter 7 bankruptcy case no. 19-50025. The Debtors converted their case to chapter 13 after the UST filed a motion to dismiss. Case No. 19-50025, Docket Nos. 34, 40 and 42. The chapter 13 proceeding was subsequently

dismissed upon motion of the chapter 13 trustee. Case No. 19-50025, Docket Nos. 119 and 124.

3. The Trustee referred this case to the UST after the initial creditors' meeting was held on September 9, 2022. It is the understanding and belief of the UST that the Trustee adjourned the creditors' meeting, in part, to secure information requested from the Debtors that is necessary for her administration of their bankruptcy case. Since the creditors' meeting has yet to be concluded, the UST requests an extension of the deadline to file a motion to dismiss and complaint objecting to discharge so that he may review all information in connection with this case, including the Debtors' testimony at each creditors' meetings, and take such further action as may be deemed warranted.

4. A motion to dismiss a chapter 7 proceeding for abuse pursuant to 11 U.S.C. Section 707(b)(1) and (3) must be filed "not later than 60 days following the first date set for the meeting of creditors. . . ." Fed. R. Bankr. P. 1017(e). Bankruptcy Rule 1017(e) continues with language permitting the extension of time where the Court finds cause exists. Similarly, pursuant to Bankruptcy Rule 4004(a), a complaint filed under 11 U.S.C. Section 727 is to be filed "no later than 60 days after the first date set for the meeting of creditors. . . ." Bankruptcy Rule 4004(b) continues that the "court may for cause extend the time to file a complaint objecting to discharge."

5. The UST seeks a further extension of the deadline to file a motion to dismiss under 11 U.S.C. § 707(b)(3) and the deadline to file a complaint objecting to discharge under 11 U.S.C. § 727 until December 23, 2022. The extension will provide time for the UST to review all information currently available in this case and take further action as may be warranted, including but not limited to assessing the extent to which the Debtors' financial

condition has changed since their prior bankruptcy filing in which the UST filed a motion to dismiss.

WHEREFORE, the United States Trustee requests that this Court enter an order extending the time to file a motion to dismiss under 11 U.S.C. Section 707(b)(3) or a complaint objecting to discharge under 11 U.S.C. Section 727(a) until December 23, 2022.

Respectfully Submitted,

Andrew R. Vara
United States Trustee, Region 9

by: /s/ Amy L. Good
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Certificate of Service

I hereby certify that on October 18, 2022 a true and correct copy of the foregoing

Motion was served.

Via the Court's Electronic Case Filing System on these entities and individuals who are listed on the Court's Electronic Mail Notice List:

- Cynthia A. Jeffrey bankruptcy@weinerlaw.com
- Melissa M. Macejko akrontr@suharlaw.com,
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And by regular U.S. Mail to:

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